



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Ref # 14
Req for Recor
S. Bryce
3/5/03

In re Patent Application of :
YACCARINO III :
Serial No.: 09/503,166 : EXAMINER PHAN
Filed: February 14, 2000 : Group Art Unit 3738
For: COMPOUND BONE STRUCTURE :
OF ALLOGRAFT TISSUE WITH :
THREADED FASTENERS :
:

The Honorable Commissioner of
Patents and Trademarks
Washington, D.C. 20231

Sir:

RESPONSE

In response to the outstanding Office Action of August 27, 2002, Applicant responds as follows:

REMARKS

Applicant traverses the rejections of claims 1-12 and 29-32 as being obvious under 35 U.S.C. 103 in view of Paul et al. Patent Number 6,258,125 combined with Reed Patent Number 5,968,047.

United States Patent Number 6,258,125 to Paul et al. is assigned to Synthes Corporation, a marketing partner of the Assignee of the present invention, Musculoskeletal Transplant Foundation. Both the inventor of the '125 patent, Paul and the inventor of the present application, Yaccarino work together on specific projects and have knowledge of each others work in this area.

Figures 6, 7, 8, 8A and 11 in the '125 patent (Figure 6 being a plan view of Figure 7) on which the Examiner's argument were based are essentially the same as drawings made by Joseph Yaccarino prior to the filing of the provisional application number 60/095,209 on August 3, 1998 from which the 6,258,125 patent claims priority. Figures 7, 8, 8A and 11 also basically appear in U.S.